



PTO/SB/24 (08-03)

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**EXPRESS ABANDONMENT UNDER  
37 CFR 1.138**

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Application Number

09/896,238

Filing Date

6/29/2001

First Named Inventor

GRUNE, GUSTAV L.

Art Unit

2175

Examiner Name

MICHAEL SIEBEL

Attorney Docket Number

Technology Center 2100

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Please check only one of boxes 1 or 2 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☐ **Express Abandonment**

I request that the above-identified application be expressly abandoned as of the filing date of this paper.

2. ☒ **Express Abandonment in Favor of a Continuing Application**

I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

**TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.**

I am the:

☐

applicant.

☐

assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐

attorney or agent of record. Registration Number \_\_\_\_\_

☒attorney or agent acting under 37 CFR 1.34(a) (may act under 37 CFR 1.34(a) only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a). 46,745

(Attorney or agent registration number)

Signature

GUSTAV L. GRUNE

Typed or printed name

Date

10/16/03

757-570-1921

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐

Total of \_\_\_\_\_ forms are submitted.

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This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**October 16, 2003**

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**OCT 21 2003**

**Technology Center 2100**

Ms. Diane Mizrahi  
Examiner/SPE  
Art Group 2175  
USPTO  
Commissioner for Patents  
P.O. Box 1450

Alexandria, VA 22313-1450

**(703)-305-3806 / 703-305-9731 (FAX) - (703)-746-5612 (FAX)**  
**RE: APPLICATION 09/896,238 - (SIPS - VISM)**

Dear Examiner Mizrahi,

According to your request by phone yesterday, please find a copy of the Express Abandonment Request Under 37 CFR 1.138. I am abandoning the application in favor of a continuing application – specifically a Request for Continued Examination (RCE) as also copied and attached to this memo.

The purpose of these procedures are so that you may receive more time to consider this application in lieu of the recent departure of Examiner Spiegel and help preserve the priority date.

Thank you very much for your help in this matter.

Sincerely,

  
Guerry L. Grune  
Reg. No. 46,745